

AMENDED

TEMPORARY

NO. 65359-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUL 27 1999
Returned to applicant for correction AUG 24 1999
Corrected application filed SEP 10 1999
Map filed SEP 10 1999

The applicant **United States of America, Fish and Wildlife Service**, hereby makes application for permission to change the place of use of a portion of water heretofore appropriated under **Truckee Carson Irrigation District Serial Nos. 23, 161, 723, 750, United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT**; both in the United States District Court of Nevada.

1. The source of water is **Truckee and Carson Rivers**
2. The amount of water to be changed **397.43 acre-feet (113.55 acres @3.50 acre-feet per acre)**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **As decreed**.
5. The water is to be diverted at the following point **Lahontan Dam, being within the SW¼ SE¼, Section 33, T19N, R26E, M.D.B.&M.**
6. The existing permitted point of diversion is located within **No change**.
7. Proposed place of use **36.95 acres in the NE¼ NW¼, 7.10 acres in the NW¼ NE¼, 7.25 acres in the SW¼ NE¼, and 29.25 acres in the SE¼ NW¼ of Section 7, 28.90 acres in the NW¼ NW¼ of Section 18, Township 19 North, Range 31 East; 4.10 acres in the NE¼ NE¼ of Section 13, Township 19 North, Range 30 East, M.D.B.&M. 113.55 acres total.**
8. Existing place of use **35.90 acres in the NW¼ SE¼ and 32.03 acres in the SW¼ SE¼ of Section 2, Township 19 North, Range 30 East, and 3.22 acres in the NE¼ SE¼ of Section 24, Township 18 North, Range 29 East and 6.17 acres in the NW¼ SW¼ of Section 32, Township 19 North, Range 29 East and 30.12 acres from the NE¼ NE¼ of Section 35, Township 17 North, Range 28 East, 6.11 acres in the SW¼ NW¼ of Section 32, Township 19 North, Range 29 East, MDB&M, 113.55 acres total.**
9. Use will be from **As decreed**
10. Use was permitted from **As decreed**
11. Description of proposed works **No new diversion or storage works on the Truckee River and the Carson River will be constructed.**
12. Estimated cost of works **N/A**
13. Estimated time required to construct works **N/A**
14. Estimated time required to complete the application of water to beneficial use **N/A**

65359-T

15. Remarks: This temporary permit is sought to maintain revegetation on acquired lands within the boundary of Stillwater National Wildlife Refuge during the remainder of 1999 irrigation season.

By s/Richard P. Grimes
Richard P. Grimes, Project Leader
Stillwater Realty Field Office
U.S. Fish and Wildlife Service
P. O. Box 1236
Fallon, NV 89407-1236

Compared dl/cmf

Protested by Churchill County 09/21/99; 9/23/99 by City of Fallon;

DENIAL OF STATE ENGINEER

This temporary application is hereby denied on the grounds that the applicant has failed to submit the statutory publication fees to the office of the State Engineer. No ruling is made on the merits of the respective protests.

Work must be prosecuted with reasonable diligence and be completed on or before:_____

Proof of completion of work shall be filed before: _____

Application of water to beneficial use shall be filed on or before:_____

Proof of the application of water to beneficial use shall be filed on or before:_____

Map in support of proof of beneficial use shall be filed on or before:_____

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 7th day of November, A.D. 2000

Hugh Ricci, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____